

रजिस्टर्ड नं ० पी०/एस० एम० १४.



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 16 मई, 1987/26 वेशाख, 1909

हिमाचल प्रदेश सरकार

VIDHAN SABHA SECRETARIAT

NOTIFICATION

*Shimla-4, the 1st April, 1987*

No. 1-19/87-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly 1973, the Himachal Pradesh Agricultural

Produced Markets (Amendment) Bill, 1987 (Bill No. 12 of 1987) having been introduced on the 1st April, 1987 in the Himachal Pradesh Vidhan Sabha, is hereby published in the Gazette.

V. VERMA,  
*Secretary.*

Act No. 12 of 1987.

THE HIMACHAL PRADESH AGRICULTURAL PRODUCE  
MARKETS (AMENDMENT) ACT, 1987

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

*further to amend the Himachal Pradesh Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970).*

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Agricultural Produce Markets (Amendment) Act, 1987.

(2) It shall come into force at once.

Short title  
and comm-  
encement.

2. In section 2 of the Himachal Pradesh Agricultural Produce Markets Act, 1969 (hereinafter called the principal Act),—

Amendment  
of section  
2.

(i) after clause (f), the following clause (ff) shall be added, namely:—

“(ff) “licensee” means a person to whom a licence is granted under section 8 and the rules made under this Act and includes any person who buys or sells agricultural produce and to whom a licence is granted as Kacha Arhtia or commission agent or otherwise, but does not include a person licensed under section 11;”;

(ii) after clause (j), the following clause (jj) shall be added, namely:—

“(jj) “member” includes the Chairman of the Board;”;

(iii) after the sign “;” occurring at the end of clause (r), the word “and” shall be inserted; and

(iv) for the sign and word “; and” occurring at the end of clause (s), the sign “.” shall be substituted and the existing clause (t) shall be omitted.

3. In section 3 of the principal Act,—

(a) in sub-section (1), after the words “Consisting of” but before the figure and word “15 members”, the words “a Chairman to be appointed by the State Government and” and for the words “the Marketing Officer” occurring in clause (a), the words and brackets, “the Deputy Director (Agricultural Marketing) for Himachal Pradesh” shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted namely:—

“(2) There shall be a Secretary of the Board who shall be appointed by the State Government from amongst the Joint and Deputy Directors of Agriculture Department of the State Government.”;

Amendment  
of section  
3.

(c) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) The Chairman of the Board may resign by tendering his resignation to the State Government and a member, other than the Chairman, of the Board may resign from membership by tendering his resignation to the State Government through the Chairman of the Board and the seat of such Chairman or the member, as the case may be, shall become vacant on the date of acceptance of his resignation.”;

(d) after sub-section (7), the following sub-section (7-A) shall be added, namely:—

“(7-A) Subject to the rules made under this Act, the Board may, with the approval of the State Government, frame bye-laws for—

- (a) regulating the transaction of business at its meeting;
- (b) assignment of duties and powers of the Board to its Chairman, Secretary or persons employed by it; and
- (c) such other matters which are to be or may be prescribed under the bye-laws.”;

(e) for the words “Four members” occurring in the beginning of sub-section (8), the words “One-third of the total members” shall be substituted;

(f) for the word “Central” occurring in sub-section (11), the word “State” shall be substituted; and

(g) in clause (12),—

(i) after the words “functions of the Board”, the words “and of its Chairman” shall be inserted;

(ii) for the sign “.” occurring at the end, the sign “;” shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided that the Board shall be constituted within six months from the date of its suspension”.

4. After section 3 of the principal Act, the following new sections 3-A and 3-B shall be added, namely :—

“3-A. *The Chairman and his term of office etc.*—(1) The State Government shall appoint any of the members of the Board to be its Chairman who shall perform such duties and exercise such powers as may be assigned to or conferred upon him.

(2) The term of office of the Chairman appointed under sub-section (1) shall, unless the State Government otherwise directs, be coterminous with the term of the non-official members of the Board and he shall be paid such remuneration and allowances as may, from time to time, be fixed by the Government.

(3) Notwithstanding the expiration of the term mentioned in sub-section (2), the Chairman shall continue to hold office until the vacancy caused by the expiration of the term has been filled up :

Provided that no vacancy shall be allowed to remain unfilled for more than 6 months.

Addition of  
sections 3-A  
and 3-B.

(4) Whenever there is a temporary vacancy in the office of the Chairman, the Government, may appoint another member of the Board to the Board to act as the Chairman during the period of such vacancy and shall pay to him such remuneration and allowances as may be fixed by it.

3-B. *Supersession of the Board.*—(1) If at any time the State Government is satisfied that the Board is incompetent to perform or persistently defaults in performing the duties imposed on it by or under this Act, or abuses the powers conferred on it, the State Government may, by notification, supersede the Board:

Provided that before issuing any such notification, the State Government shall give a reasonable opportunity to the Board to make representation against the proposed supersession and shall consider the representation, if any, of the Board.

(2) When the Board is superseded under the provisions of sub-section (1),—

- (a) all the members including the Chairman of the Board, notwithstanding that their term of office has not expired, shall, from the date of supersession, vacate their offices as such members or the Chairman, as the case may be;
- (b) all the powers and duties of the Board shall, during the period of supersession, be exercised and performed by such persons as the State Government may appoint in this behalf and their remuneration shall be such as may be fixed by the Government;
- (c) all funds and other properties vested in the Board shall, during the period of supersession, vest in the State Government; and
- (d) as soon as the period of supersession expires, the Board shall be reconstituted in accordance with the provisions of this Act."

5. For the words and brackets "the trained Agricultural Inspectors (Marketing)", occurring in sub-section (1) of section 18 of the principal Act, the words "its officers trained in agricultural marketing, not below the rank of an *Agriculture Inspector*", shall be substituted.

Amendment of section 18.

6. For sub-section (1) of section 23 of the principal Act, the following sub-section shall be substituted, namely :—

Amendment of section 23.

"(1) All receipts of the Board shall be credited into a fund to be called the Himachal Pradesh Marketing Board Fund and all expenditure incurred by the Board shall be defrayed out of said fund which shall be operated upon in such manner as may be prescribed.

7. In sub-section (2) of section 33 of the principal Act,—

Amendment of section 33.

(a) after clause (ii), the following clause (ii-a) shall be added, namely:—

"(ii-a) the powers to be exercised and duties to be performed by the Chairman of the Board and the remuneration and allowances to be paid to him;"

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(b) in clause (xxvi) before the word "members", the word and sign "Chairman," shall be inserted; and

(c) after clause (xxvi) so amended, the following clause (xxvi-a) shall be added, namely:—

“(xxvi-a) operation of the Himachal Pradesh Marketing Board Fund;”.

## STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Marketing Board was established under the provisions of the Himachal Pradesh Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970) to introduce agrarian reforms in the Pradesh by providing marketing yards and other marketing infrastructural facilities. Under sub-section (2) of section 3 of this Act, the Director of Agriculture and the Marketing Officer are to function as ex-officio Chairman and Secretary of the Board respectively. The activities of the Department of Agriculture have increased manifold and it is rather difficult for the said officers to devote adequate time towards the developmental activities of Himachal Pradesh Marketing Board in the fast growing agricultural economy in the Pradesh. Thus in order to give the requisite attention to marketing developmental activities and also to provide the badly needed infrastructural facilities to the producers, it has become essential to appoint a whole-time Chairman and a Secretary. It has, therefore, necessitated amendments in the said Act.

The Bill seeks to achieve the aforesaid objectives.

SANT RAM,  
Minister-in-charge.

SHIMLA :

The 1st April, 1987.

## FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to make provisions for the appointment of whole-time Chairman and Secretary of the Himachal Pradesh Marketing Board. The provisions contained in the Bill, when enacted, will involve an extra expenditure to the tune of Rs. 1,50,000 (non-recurring) and Rs. 6,50,000 (recurring) per annum out of the funds of the Boards. If necessary, the State Government may have to provide financial assistance by way of grant-in-aid to the Board. It is possible to anticipate at this stage the precise quantum of expenditure to be incurred out of the State exchequer.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (d) of clause 3 of the Bill proposes to insert sub-section (7-A) in section 3 of the principal Act to empower the Board to frame the bye-laws to regulate its business. Further, clause 7 of the Bill proposes to amend the rule making section of the principal Act to authorise the State Government to make rules for prescribing the powers to be exercised and duties to be performed by the Chairman and the remuneration and allowances to be paid to him and as to how the Himachal Pradesh Marketing Board Fund will be operated. The proposed delegation is normal and essential in character.

## RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

[File No. Agr. F. 14 (1)/86 (Part)]

The Governor of Himachal Pradesh, having been informed of the subject-matter of the Himachal Pradesh Agricultural Produce Markets (Amendment) Bill, 1987, recommends, under Article 207 of the Constitution of India, the introduction and consideration of the said Bill in the Legislative Assembly.

## VIDHAN SABHA SECRETARIAT

## NOTIFICATION

*Shimla-4, the 1st April, 1987*

No. 1-14/87-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly 1973, the Himachal Pradesh General Sales Tax (Amendment) Bill, 1987 (Bill No. 13 of 1987) having been introduced on the 1st April, 1987, in the Himachal Pradesh Vidhan Sabha, is hereby published in the Gazette.

V. VERMA,  
Secretary.

**THE HIMACHAL PRADESH GENERAL SALES TAX (AMENDMENT)  
BILL, 1987**

(As INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

**BILL**

*Further to amend the Himachal Pradesh General Sales Tax Act, 1968 (Act No. 24 of 1968).*

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh General Sales Tax (Amendment) Act, 1987.

Short title  
and comm-  
encement.

(2) It shall come into force at once.

2. In section 2 of the Himachal Pradesh General Sales Tax Act, 1968 (hereinafter called the principal Act),—

Amendment  
of section  
2.

(i) the existing clause (dd) shall be renumbered as clause (ddi) and before the clause (dd) so renumbered a new clause (dd) shall be inserted, namely:—

“(dd) “Deputy Excise and Taxation Commissioner” means the Deputy Excise and Taxation Commissioner, appointed under sub-section (1) of section 3 of this Act, to assist the Commissioner and shall also include the Joint Excise and Taxation Commissioner;” and

(ii) in clause (p), for the figure “7.5”, the figure “35” shall be substituted.

3. For the figure “10,000” occurring in clause (b) of sub-section (6) of section 4 of the principal Act, the figure “40,000” shall be substituted.

Amendment  
of section  
4.

4. After section 5 of the principal Act, the following section 5-A shall be inserted, namely:—

Insertion of  
section 5-A.

**“5-A Levy of purchase tax on certain goods.**—Where a dealer who is liable to pay tax under this Act purchases any goods other than those specified in Schedule “B” from any source, and—

(i) uses them within the State in the manufacture of goods specified in Schedule “B”, or

(ii) uses them within the State in the manufacture of any goods other than those specified in Schedule “B”, and sends the goods so manufactured outside the State in any manner other than by way of sale in the course of inter-State trade or commerce or in the course of export, out of the territory of India, or

(iii) uses such goods for a purpose other than that of resale within the State or sale in the course of inter-State trade or commerce or in course of export out of the territory of India, or

(iv) sends them outside the State in any manner other than by way of sale in the course of inter-State trade or commerce or in the course of export out of the territory of India,

and no tax is payable on the purchase of such goods under any other provisions of this Act, there shall be levied a tax on the purchase of such goods at such rate not exceeding the rate specified under sub-section (1) of section 6 as the State Government may direct."

Amendment of section 6.

5. The third proviso to sub-clause (ii) of clause (a) of sub-section (3) of section 6 of the principal Act shall be omitted.

Amendment of section 6-A.

6. For the second proviso to sub-section (1) of section 6-A of the principal Act, the following proviso shall be substituted, namely:—

"Provided further that the aggregate rate of the tax and the surcharge payable under this Act shall not, in respect of goods declared to be of special importance in inter-State trade or commerce, by section 14 of the Central Sales Tax Act, 1956 exceed the rate fixed under section 15 of that Act."

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Substitution of sections 30 and 31.

7. For the existing sections 30 and 31 of the principal Act, the following sections shall be substituted, namely:—

**"30. Appeals.—(1)** An appeal from every original order passed under this Act or rules made thereunder shall lie—

(a) if the order is made by an assessing authority or by an officer in charge of the check post or barrier or any other officer not below the rank of the Excise and Taxation Officer, to the Deputy Excise and Taxation Commissioner;

(b) if the order is made by the Deputy Excise and Taxation Commissioner, to the Commissioner;

(c) if the order is made by the Commissioner or any officer exercising the powers of the Commissioner, to the Financial Commissioner.

(2) An order passed in appeal by a Deputy Excise and Taxation Commissioner or by the Commissioner or any officer on whom the powers of the Commissioner are conferred, shall be further appealable to the Financial Commissioner.

(3) Every order of the Financial Commissioner and subject only to such order, the order of the Commissioner or any officer exercising the powers of the Commissioner or the order of the Deputy Excise and Taxation Commissioner or of the assessing authority, if it was not challenged in appeal or revision, shall be final.

(4) No appeal shall be entertained unless it is filed within sixty days from the date of communication of the order appealed against,

or such longer period as the appellate authority may allow, for reasons to be recorded in writing.

(5) No appeal shall be entertained by an appellate authority unless such appeal is accompanied by satisfactory proof of the payment of the tax or of the penalty, if any, imposed or both, as the case may be :

Provided that if such authority is satisfied that the dealer is unable to pay the tax assessed or the penalty, if any, imposed or both, he may, for reasons to be recorded in writing, entertain an appeal without the tax or penalty or both having been paid in full or after part payment of such tax or, penalty or both.

(6) Subject to such rules of procedure as may be prescribed, an appellate authority may pass such order on appeal as it deems just and proper.

**31. Revision.**—(1) The Commissioner may, of his own motion, call for the record of any proceedings which are pending before, or have been disposed of by, any authority subordinate to him, for the purpose of satisfying himself as to the legality or propriety of such proceedings or order made therein and may pass such order in relation thereto as he may think fit.

(2) The State Government may by notification confer on any officer powers of the Commissioner under sub-section (1) to be exercised subject to such conditions and in respect of such areas as may be specified in the notification.

(3) The Financial Commissioner, on application made to him against an order of the Commissioner under sub-section (1) within ninety days from the date of communication of the order, may call for and examine the record of any such case and pass such orders thereon as he thinks just and proper.

(4) No order shall be passed under this section which adversely affects any person unless such person has been given a reasonable opportunity of being heard".

8. After section 31 of the principal Act, the following new section 31-A, along with its heading, shall be inserted, namely:—

Insertion of section 31-A.

**“31-A. Disposal of pending appeal and application etc.**—Notwithstanding anything contained in sections 7, 8 and 9 of this Act, any appeal or application, under sections 30, 31, 33 and 35 of the principal Act, pending immediately before the commencement of the Himachal Pradesh General Sales Tax(Amendment) Act, 1987, shall be disposed of in accordance with the provisions of the principal Act as if the provisions of sections 7, 8 and 9 of this Act had not been enacted.”

9. For the figure “31” occurring in sub-section (1) of section 33 of the principal Act, the figures and word “30 or 31” shall be substituted.

Amendment of section 33.

10. Sub-sections (3), (4) and (5) of section 35 of the principal Act shall be omitted.

Amendment of section 35.

## STATEMENT OF OBJECTS AND REASONS

By virtue of the definition of "small scale industries" given in clause (p) of section 2 of the Himachal Pradesh General Sales Tax Act, 1968, industrial units with capital investment exceeding Rs. 7.5 Lakhs are not eligible for tax concession under the provisions of the said Act. This limit was laid in the year 1973 and thereafter due to the inflationary trend, the value of money has considerably decreased. In view of this, it has become necessary to increase the limit of Rs. 7.50 lakhs to Rs. 35 lakhs. Similarly in order to provide relief to petty manufacturers, the limit of taxable quantum is proposed to be increased from Rs. 10,000/- to Rs. 40,000/-. Further, to mitigate chances of evasion by branch transfers or other means, it has become necessary to insert section 5-A in the principal Act. In addition, to ensure harmonious implementation of the provisions of the Central Act, i.e. the Central Sales Tax Act, 1956 on the one hand and the State enactment i.e. the Himachal Pradesh General Sales Tax Act, 1968 on the other, it has also become necessary to amend sections 6 and 6-A of the principal Act. Apart from this, to provide more channels for the assessees to ventilate their grievances, provisions for second appeal and revision are proposed to be inserted in the principal Act.

This Bill seeks to achieve the aforesaid objectives.

SHIMLA :  
The 1st April, 1987.

RAJ KRISHAN GAUR,  
Minister-in-charge.

## FINANCIAL MEMORANDUM

The provisions of the Bill, when enacted, are to be enforced through the existing Government machinery and no additional expenditure will be involved. Clause 2 proposes to provide for tax-exemption to the industrial units having capital investment upto Rs. 35 lakhs instead of the industrial units with capital investment upto Rs. 7.5 lakhs. Clause 3 proposes to increase the taxable quantum in case of petty manufacturers from Rs. 10,000/- to Rs. 40,000/-. Consequent upon the provisions of clauses 2 and 3, there will be a loss to State exchequer to the tune of Rs. two crores per annum approximately.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Nil

## RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

[File No. EXN.F (11)-1/87]

The Governor of Himachal Pradesh, having been informed of the subject-matter of the Himachal Pradesh General Sales Tax (Amendment) Bill, 1987, recommends, under Article 207 of the Constitution of India, the introduction and consideration of the Bill in the Legislative Assembly.

विधान सभा सचिवालय

अधिसूचना

गिमला-4, 31 मार्च, 1987

संख्या 1-6/87-वि0 स0—हिमाचल प्रदेश विधान सभा प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 135 के अन्तर्गत, हिमाचल प्रदेश विनियोग (संख्या 2) विधेयक, 1987 (1987 का विधेयक संख्याक 5) जो दिनांक 31 मार्च, 1987 को हिमाचल प्रदेश विधान सभा में पुरापापित हो गया है, सर्वसाधारण की सूचनार्थ राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

विश्वेश्वर वर्मा,  
सचिव ।

1987 का विधेयक संख्यांक 5.

## हिमाचल प्रदेश विनियोग (संख्या 2) विधेयक, 1987

(विधान सभा में यथा पुरस्थापित)

वित्तीय वर्ष 1987-88 के लिए हिमाचल प्रदेश राज्य की संचित निधि में से सेवाओं के लिए, कर्तिपय धन-राशियों के संदाय को प्राधिकृत करने और उनका विनियोग करने के लिए विधेयक ।

भारत गणराज्य के अड़तीसवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो:—

संक्षिप्त नाम

1. इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश विनियोग (संख्या 2) अधिनियम, 1987 है ।

हिमाचल प्रदेश राज्य की संचित निधि में से 1987-88 वर्ष के लिए 8,11,92,68,000 रुपये की राशि सेवाओं के संदाय के लिए उपयोजित करना ।

2. हिमाचल प्रदेश राज्य की संचित निधि में से अनुसूची के तृतीय स्तम्भ में विनिर्दिष्ट से अनधिक धन-राशियां, जिनका योग 8,11,92,68,000 रुपये (आठ अरब, चारह करोड़, बानवे लाख अड़सठ हजार रुपये) हैं, संदत्त और उपयोजित की जाएं जिनका वित्तीय वर्ष 1987-88 की अवधि में अनुसूची के द्वितीय स्तम्भ में विनिर्दिष्ट सेवाओं और प्रयोजनों से सम्बन्धित विभिन्न प्रभारों के संदाय को चुकाने के लिए उपयोग किया जाएगा ।

विनियोग ।

3. इस अधिनियम द्वारा हिमाचल प्रदेश राज्य की संचित निधि में से संदत्त और उपयोजित करने के लिए प्राधिकृत धन-राशियों का उक्त वर्ष के सम्बन्ध में अभिव्यक्त सेवाओं और प्रयोजनों के लिए विनियोजन किया जाएगा ।

## अनुसूची

(धारा 2 और 3 देखें)

| मांग संख्या | सेवाएं एवं प्रयोजन                                  | निम्नलिखित राशियों से अनुधिक |                        |                              |
|-------------|---|------------------------------|------------------------|------------------------------|
|             |   | विधान सभा द्वारा दत्तमत      | संचित निधि पर प्रभारित | जोड़                         |
| 1           | 2   | 3                            |                        |                              |
| 1           | विधान सभा और निर्वाचन (राजस्व)                      | 1,29,91,000                  | 3,11,000               | 1,33,02,000                  |
| 2           | राज्यपाल और मन्त्रिपरिषद् (राजस्व)                  | 55,80,000                    | 25,80,000              | 81,60,000                    |
| 3           | न्याय प्रशासन (राजस्व)                              | 2,77,49,000                  | 59,27,000              | 3,36,76,000                  |
| 4           | सामान्य प्रशासन (राजस्व)<br>(पूँजी)                 | 18,58,19,000<br>11,03,000    | 33,55,000<br>—         | 18,91,74,000<br>11,03,000    |
| 5           | भू-राजस्व (राजस्व)<br>(पूँजी)                       | 9,43,39,000<br>10,40,000     | —<br>—                 | 9,43,39,000<br>10,40,000     |
| 6           | आबकारी और कराधान (राजस्व)                           | 4,29,18,000                  | —                      | 4,29,18,000                  |
| 7           | पुलिस और सम्बद्ध संगठन (राजस्व)                     | 28,50,33,000                 | —                      | 28,50,33,000                 |
| 8           | शिक्षा, खेल तथा कला और (राजस्व)<br>संस्कृति (पूँजी) | 99,96,82,000<br>5,23,39,000  | —<br>—                 | 99,96,82,000<br>5,23,39,000  |
| 9           | चिकित्सा और परिवार कल्याण (राजस्व)<br>(पूँजी)       | 34,41,68,000<br>3,06,48,000  | —<br>—                 | 34,41,68,000<br>3,06,48,000  |
| 10          | लोक निर्माण (राजस्व)<br>(पूँजी)                     | 44,99,68,000<br>3,85,90,000  | —<br>—                 | 44,99,68,000<br>3,85,90,000  |
| 11          | कृषि (राजस्व)<br>(पूँजी)                            | 26,40,89,000<br>13,80,46,000 | —<br>—                 | 26,40,89,000<br>13,80,46,000 |
| 12          | सिचाई और बाढ़ नियंत्रण (राजस्व)<br>(पूँजी)          | 16,40,35,000<br>11,09,49,000 | —<br>—                 | 16,40,35,000<br>11,09,49,000 |
| 13          | भूमि और जल संरक्षण (राजस्व)<br>(पूँजी)              | 10,08,65,000<br>79,63,000    | —<br>—                 | 10,08,65,000<br>79,63,000    |
| 14          | पशुपालन और दुध विकास (राजस्व)<br>(पूँजी)            | 7,72,92,000<br>97,66,000     | —<br>—                 | 7,72,92,000<br>97,66,000     |
| 15          | मत्स्य (राजस्व)<br>(पूँजी)                          | 81,30,000<br>23,61,000       | —<br>—                 | 81,30,000<br>23,61,000       |
| 16          | वन और वन्य जीवन (राजस्व)<br>(पूँजी)                 | 30,61,01,000<br>1,21,38,000  | —<br>—                 | 30,61,01,000<br>1,21,38,000  |
| 17          | सड़कें तथा पुल (राजस्व)<br>(पूँजी)                  | 15,12,57,000<br>33,48,53,000 | —<br>—                 | 15,12,57,000<br>33,48,53,000 |
| 18          | पूर्ति, उद्योग और खनिज (राजस्व)<br>(पूँजी)          | 19,27,69,000<br>3,00,11,000  | —<br>—                 | 19,27,69,000<br>3,00,11,000  |

| 1  | 2   |                     | 3                            |                              |
|----|---|---------------------|------------------------------|------------------------------|
|    |   | रुपये               | रुपये                        | रुपये                        |
| 19 | सामाजिक सुरक्षा, कल्याण<br>(पोषाहार सहित) | (राजस्व)<br>(पूँजी) | 12,36,35,000<br>56,10,000    | —<br>—                       |
| 20 | ग्रामीण विकास                             | (राजस्व)<br>(पूँजी) | 17,95,47,000<br>3,85,000     | —<br>—                       |
| 21 | सहकारिता                                  | (राजस्व)<br>(पूँजी) | 3,40,92,000<br>2,28,50,000   | —<br>—                       |
| 22 | खाद्य और भाण्डारण                         | (राजस्व)<br>(पूँजी) | 3,84,41,000<br>8,49,87,000   | —<br>—                       |
| 23 | जल और विद्युत विकास                       | (राजस्व)<br>(पूँजी) | 2,07,00,000<br>27,79,00,000  | —<br>—                       |
| 24 | लेखन सामग्री और मुद्रण                    | (राजस्व)<br>(पूँजी) | 2,89,59,000<br>18,84,000     | —<br>—                       |
| 25 | सड़क, जल परिवहन और नगर<br>विमानन          | (राजस्व)<br>(पूँजी) | 4,61,19,000<br>7,17,40,000   | —<br>—                       |
| 26 | पर्यटन और आतिथ्य संगठन                    | (राजस्व)<br>(पूँजी) | 1,29,22,000<br>1,07,76,000   | —<br>—                       |
| 27 | श्रम और रोजगार                            | (राजस्व)<br>(पूँजी) | 2,43,95,000<br>22,30,000     | —<br>—                       |
| 28 | जल पर्यावरण, सफाई, आवास और<br>नगर विकास   | (राजस्व)<br>(पूँजी) | 39,96,90,000<br>20,78,55,000 | —<br>—                       |
| 29 | वित्त                                     | (राजस्व)<br>(पूँजी) | 20,33,08,000<br>—            | 50,40,27,000<br>82,30,75,000 |
| 30 | सरकारी कर्मचारियों को क्रृष्ण             | (पूँजी)             | 3,00,00,000                  | —<br>—                       |
| 31 | जन-जातीय विकास                            | (राजस्व)<br>(पूँजी) | 33,28,90,000<br>13,64,86,000 | —<br>—                       |
|    | कुल जोड़ ..                               | 6,77,99,93,000      | 1,33,92,75,000               | 8,11,92,68,000               |
|    | (राजस्व)                                  | 5,15,74,83,000      | 51,62,00,000                 | 5,67,36,83,000               |
|    | (पूँजी)                                   | 1,62,25,10,000      | 82,30,75,000                 | 2,44,55,85,000               |

## उद्देश्यों और कारणों का कथन

यह विधेयक भारत के संविधान के अनुच्छेद 204 के खण्ड (1) के अनुसरण में हिमाचल प्रदेश राज्य की संचित निधि में से वित्तीय वर्ष 1986-87 के लिए हिमाचल प्रदेश सरकार के अनुमानित व्ययों के सम्बन्ध में संचित निधि पर प्रभारित व्ययों और विधान सभा द्वारा यथा दत्तमत अन्य व्ययों को पूरा करने के लिए हिमाचल प्रदेश राज्य की संचित निधि में से अपेक्षित अतिरिक्त धन के विनियोजन का उपबन्ध करने के लिए पुरस्कारित है।

वीरभद्र सिंह,  
मुख्य मन्त्री ।

शिमला :  
31 मार्च, 1987.

भारत के संविधान के अनुच्छेद 207 के अधीन राज्यपाल की सिफारिशें

[वित्त विभाग फाइल संख्या फिन-ए-सी (2) 29/86-1I]

हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश विनियोग विधेयक, 1987 की विषय-स्तुति के बारे में सूचित किए जाने के पश्चात्, भारत के संविधान के अनुच्छेद 207 के अधीन उक्त विधेयक को विधान सभा में पुरस्कारित और उस पर विचार करने की सिफारिश करते हैं।

[Authoritative English text of the Himachal Pradesh Viniyog (No. 2) vidheyak 1987 (1987 ka vidheyak Sankhyak 5) as required under clause (3) of Article 348 of the Constitution of India].

Bill No. 5 of 1987.

**THE HIMACHAL PRADESH APPROPRIATION (No. 2) ACT, 1987**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

**BILL**

*to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Himachal Pradesh for the services for the financial year 1987-88.*

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-eighth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Himachal Pradesh Appropriation (No. 2) Act, 1987.

Issue of sum of Rs. 8,11,92,68,000 out of the Consolidated Fund of the State of Himachal Pradesh for the year 1987-88.

2. From and out of the Consolidated Fund of the State of Himachal Pradesh there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of Rs. 8,11,92,68,000 (Eight hundred and eleven crores, ninety-two lakhs and sixty-eight thousand rupees) towards defraying the several charges which will come in course of payment during the financial year 1987-88 in respect of the services and purposes specified in column (2) of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Himachal Pradesh by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

| Serial<br>No. | Services and purposes                             | 2  | 3  |              |              |
|---------------|---|--|--|--------------|--------------|
|               |   | Voted by<br>the Legisla-<br>tive Assem-<br>bly | Charged on<br>the Conso-<br>lidated Fund | Total        |              |
| 1             | Vidhan Sabha and Election                         | (Revenue)                                      | 1,29,91,000                              | 3,11,000     | 1,33,02,000  |
| 2             | Governor and Council of<br>Ministers              | (Revenue)                                      | 55,80,000                                | 25,80,000    | 81,60,000    |
| 3             | Administration of Justice                         | (Revenue)                                      | 2,77,49,000                              | 59,27,000    | 3,36,76,000  |
| 4             | General Administration                            | (Revenue)                                      | 18,58,19,000                             | 33,55,000    | 18,91,74,000 |
| 5             | (Capital)   | 11,03,000                                      | —  | 11,03,000    |              |
| 6             | Land Revenue                                      | (Revenue)                                      | 9,43,39,000                              | —            | 9,43,39,000  |
| 7             | (Capital)   | 10,40,000                                      | —  | 10,40,000    |              |
| 8             | Excise and Taxation                               | (Revenue)                                      | 4,29,18,000                              | —            | 4,29,18,000  |
| 9             | Police and Allied Organisations                   | (Revenue)                                      | 28,50,33,000                             | —            | 28,50,33,000 |
| 10            | Education, Sports and Arts and<br>Culture         | (Revenue)                                      | 99,96,82,000                             | —            | 99,96,82,000 |
| 11            | (Capital)   | 5,23,39,000                                    | —  | 5,23,39,000  |              |
| 12            | Health and Family Welfare                         | (Revenue)                                      | 34,41,68,000                             | —            | 34,41,68,000 |
| 13            | (Capital)   | 3,06,48,000                                    | —  | 3,06,48,000  |              |
| 14            | Public Works                                      | (Revenue)                                      | 44,99,68,000                             | —            | 44,99,68,000 |
| 15            | (Capital)   | 3,85,90,000                                    | —  | 3,85,90,000  |              |
| 16            | Agriculture                                       | (Revenue)                                      | 26,40,89,000                             | —            | 26,40,89,000 |
| 17            | (Capital)   | 13,80,46,000                                   | —  | 13,80,46,000 |              |
| 18            | Irrigation and Flood Control                      | (Revenue)                                      | 16,40,35,000                             | —            | 16,40,35,000 |
| 19            | (Capital)   | 11,09,49,000                                   | —  | 11,09,49,000 |              |
| 20            | Soil and Water Conservation                       | (Revenue)                                      | 10,08,65,000                             | —            | 10,08,65,000 |
| 21            | (Capital)   | 79,63,000                                      | —  | 79,63,000    |              |
| 22            | Animal Husbandry and Dairy<br>Development         | (Revenue)                                      | 7,72,92,000                              | —            | 7,72,92,000  |
| 23            | (Capital)   | 97,66,000                                      | —  | 97,66,000    |              |
| 24            | Fisheries   | (Revenue)                                      | 81,30,000                                | —            | 81,30,000    |
| 25            | (Capital)   | 23,61,000                                      | —  | 23,61,000    |              |
| 26            | Forest and Wild Life                              | (Revenue)                                      | 30,61,01,000                             | —            | 30,61,31,000 |
| 27            | (Capital)   | 1,21,38,000                                    | —  | 1,21,58,000  |              |
| 28            | Roads and Bridges                                 | (Revenue)                                      | 15,12,57,000                             | —            | 15,12,57,000 |
| 29            | (Capital)   | 33,48,53,000                                   | —  | 33,48,63,000 |              |
| 30            | Supplies, Industries and Minerals                 | (Revenue)                                      | 19,27,69,000                             | —            | 19,27,9,000  |
| 31            | (Capital)   | 3,00,11,000                                    | —  | 3,00,11,000  |              |
| 32            | Social Security, Welfare<br>(including nutrition) | (Revenue)                                      | 12,36,35,000                             | —            | 12,36,35,000 |
| 33            | (Capital)   | 56,10,000                                      | —  | 56,10,000    |              |
| 34            | Rural Development                                 | (Revenue)                                      | 17,95,47,000                             | —            | 17,95,47,000 |
| 35            | (Capital)   | 3,85,000                                       | —  | 3,85,000     |              |

| 1  | 2   | Rs.                      | 3              | Rs.            |
|----|---|--------------------------|----------------|----------------|
| 21 | Co-operation  | (Revenue) 3,40,92,000    | —              | 3,40,92,000    |
|    |   | (Capital) 2,28,50,000    | —              | 2,28,50,000    |
| 22 | Food and Warehousing                                    | (Revenue) 3,84,41,000    | —              | 3,84,41,000    |
|    |   | (Capital) 8,49,87,000    | —              | 8,49,87,000    |
| 23 | Water and Power Development                             | (Revenue) 2,07,00,000    | —              | 2,07,00,000    |
|    |   | (Capital) 27,79,00,000   | —              | 27,79,00,000   |
| 24 | Stationery and Printing                                 | (Revenue) 2,89,59,000    | —              | 2,89,59,000    |
|    |   | (Capital) 18,84,000      | —              | 18,84,000      |
| 25 | Road, Water Transport and Civil Aviation                | (Revenue) 4,61,19,000    | —              | 4,61,19,000    |
|    |   | (Capital) 7,17,40,000    | —              | 7,17,40,000    |
| 26 | Tourism and Hospitality Organisation                    | (Revenue) 1,29,22,000    | —              | 1,29,22,000    |
|    |   | (Capital) 1,07,76,000    | —              | 1,07,76,000    |
| 27 | Labour and Employment                                   | (Revenue) 2,43,95,000    | —              | 2,43,95,000    |
|    |   | (Capital) 22,30,000      | —              | 22,30,000      |
| 28 | Water Supply, Sanitation, Housing and Urban Development | (Revenue) 39,96,90,000   | —              | 39,96,90,000   |
|    |   | (Capital) 20,78,55,000   | —              | 20,78,55,000   |
| 29 | Finance   | (Revenue) 20,33,08,000   | 50,40,27,000   | 70,73,35,000   |
|    |   | (Capital) —              | 82,30,75,000   | 82,30,75,000   |
| 30 | Loans to Government Servants                            | (Capital) 3,00,00,000    | —              | 3,00,00,000    |
| 31 | Tribal Development                                      | (Revenue) 33,28,90,000   | —              | 33,28,90,000   |
|    |   | (Capital) 13,64,86,000   | —              | 13,64,86,000   |
|    | Grand Total   | ... 6,77,99,93,000       | 1,33,92,75,000 | 8,11,92,68,000 |
|    |   | (Revenue) 5,15,74,83,000 | 51,62,00,000   | 5,67,36,83,000 |
|    |   | (Capital) 1,62,25,10,000 | 82,30,75,000   | 2,44,55,85,000 |

### STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Clause (1) of Article 204 of the Constitution of India to provide for the appropriation from and out of the Consolidated Fund of the State of Himachal Pradesh of the moneys required to meet the expenditure charged on the Consolidated Fund and other expenditure as voted by the Legislative Assembly in respect of the estimated expenditure of the Government of Himachal Pradesh for the financial year 1987-88.

VIRBHADRA SINGH,  
*Chief Minister.*

SHIMLA :

*The 31st March, 1987.*

### RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

[Finance Department File No. Fin. A.C. (1) 24/86]

The Governor, Himachal Pradesh, having been informed of the subject matter of the Himachal Pradesh Appropriation (No. 2) Bill, 1987, recommends, under Article 207 of the Constitution of India, the introduction and consideration of the said Bill by the Legislative Assembly.

નિયમની નુંથી એ રાજ્ય કાન્ફરન્સ, કિશોરાચાર્ય પ્રદેશ, શિમદા-૫ દ્વારા મુદ્રિત તથા પ્રકાશિત ।